

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
v.                            ) 4:06CR3090  
                                )  
                                )  
JAMES WAYNE THOELKE,      )  
                                )  
Defendant.                 ) MEMORANDUM AND ORDER  
                                )  
                                )

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A hearing was held before me this date on allegations made in the petition for action on conditions of pretrial release, filing 26. The defendant was present with counsel, and was advised of his rights. The defendant admitted the allegations in the petition. I therefore find that the allegations of violation of the order of release are true.

Regarding disposition, defendant proposed spending CJA funds for a psychological examination. The government had no objection.

IT THEREFORE HEREBY IS ORDERED,

The previous order of release, filing 21, is revoked pending further proposal following the evaluation. The defendant shall be detained in the custody of the United States Marshal until further order.

DATED September 25, 2006.

BY THE COURT

s/ *David L. Piester*  
David L. Piester  
United States Magistrate Judge